

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

In re:)	Chapter 11
)	
MOUNTAIN EXPRESS OIL COMPANY, <i>et al.</i> ,)	Case No. 23-90147 (DRJ)
)	
Debtors. ¹)	(Jointly Administered)
)	
)	

NOTICE OF APPEARANCE AND REQUEST FOR NOTICES

PLEASE TAKE NOTICE that the undersigned appears as proposed bankruptcy counsel on behalf of the Official Committee of Unsecured Creditors in the above-captioned cases (the “Committee”), files this Notice of Appearance and Request for Notices (the “Notice”), and requests that all notices given or required to be given and all papers served or required to be served by U.S. Mail and by email in the above-captioned cases be given to and served upon:

Maris J. Kandestin (*pro hac vice* application pending)
McDermott Will & Emery LLP
The Nemours Building
1007 North Orange Street, 10th Floor
Wilmington, Delaware 19801
Telephone: (302) 485-3900
Facsimile: (302) 351-8711
Email: mkandestin@mwe.com

PLEASE TAKE FURTHER NOTICE that this Notice encompasses all notices, copies and pleadings referred to in section 1109(b) of title 11 of the United States Code (the “Bankruptcy Code”) and in Rules 2002, 3017, 9007 and 9010 of the Federal Rules of Bankruptcy Procedure (the

¹ A complete list of each of the Debtors in these Chapter 11 cases may be obtained on the website of the Debtors’ proposed claims and noticing agent at www.kccllc.net/mountainexpressoil. The location of Debtor Mountain Express Oil Company’s principal place of business and the Debtors’ service address in these Chapter 11 cases is 3650 Mansell Road, Suite 250, Alpharetta, GA 30022.

“Bankruptcy Rules”), including, without limitation, notices of any orders, motions, demands, complaints, petitions, pleadings, plans of reorganization, disclosure statements, requests, or applications, and any other documents brought before this Court in this case, whether formal or informal, written or oral, or transmitted or conveyed by mail, delivery, telephone, telex or otherwise which affect or seek to affect the above cases.

PLEASE TAKE FURTHER NOTICE that neither this Notice nor any prior or later appearance shall be deemed or construed to be a waiver of any substantive or procedural rights of the Committee including, without limitation: (i) the right to have final orders in noncore matters only after *de novo* review by the United States District Court for the Southern District of Texas (the “District Court”), (ii) the right to trial by jury in any proceedings so triable in these cases or in any case, controversy, or proceeding related to these cases, (iii) the right to have the District Court withdraw the reference in any matter subject to mandatory or discretionary withdrawal, (iv) the right to have any matter in which this Court, absent consent of the parties, cannot enter final orders or judgments consistent with Article III of the United States Constitution heard by the District Court, or (v) any other rights, claims, actions, defenses, setoffs or recoupments to which the Committee is or may be entitled, in law, in equity, or otherwise, all of which rights, claims, actions, defenses, setoffs and recoupments are expressly reserved. Unless and until the Committee expressly states otherwise, the Committee does not consent to the entry of final orders or judgments by this Court if it is determined that this Court, absent consent of the parties, cannot enter final orders or judgments consistent with Article III of the United States Constitution.

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Dated: April 8, 2023
Dallas, Texas

MCDERMOTT WILL & EMERY LLP

/s/ Charles R. Gibbs

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*Proposed Counsel to the Official Committee of
Unsecured Creditors*

CERTIFICATE OF SERVICE

I certify that on April 8, 2023, I caused a copy of the foregoing document to be served by the Electronic Case Filing System for the United States Bankruptcy Court for the Southern District of Texas.

/s/ Charles R. Gibbs
Charles R. Gibbs